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OFFICE OF PETITIONS

In re Application of
Yoon et al.
Application No. 10/585,358
Filed: July 6, 2006
Attorney Docket No. 29137.183.00

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:
: DECISION ON PETITION
: UNDER 37 CFR 1.55(c)
:

This is a decision on the renewed petition under 37 CFR 1.55(c), filed September 21, 2010, requesting acceptance of an unintentionally delayed claim under 35 U.S.C. § 119 (a) – (d) and (f) for the filing date of the Korean Application No. 10-2004-0074307, filed September 16, 2004.

The petition is **GRANTED**.

A petition under 37 CFR 1.55(c) to accept an unintentionally delayed claim for priority requires:

- (1) the nonprovisional application claiming the benefit of an earlier filing date must be filed on or after November 29, 2000;
- (2) the claim submitted with the petition must identify the prior foreign application for which priority is claimed, as well as any foreign application for the same subject matter and having a filing date before that of the application for which priority is claimed, by the application number, country, and the filing date, and must be supplied on an application data sheet in accordance with 37 CFR 1.76 or on the oath or declaration;
- (3) the surcharge set forth in § 1.17(t);
- (4) a statement that the entire delay between the date the claim was due under 37 CFR 1.55(a)(1)(i) and the date the claim was filed was unintentional. (The Commissioner may require additional information where there is a question whether the delay was unintentional); and
- (5) the above-identified nonprovisional application must be filed within 12 months of the filing date of the foreign application.

The instant pending nonprovisional application was filed after November 29, 2000, and did not include a reference to the foreign application, for which benefit is now sought, within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application. Therefore, since the claim for priority is submitted after the period specified in 37 CFR 1.55(a)(1)(i), this is an appropriate petition under the provisions of 37 CFR 1.55(c).

The above-identified pending nonprovisional application is a national stage entry of PCT/KR05/02149 filed on July 5, 2005, which is after November 29, 2000 and within 12 months of September 16, 2004. On September 21, 2010, an Application Data Sheet (ADS) was received which identifies the foreign application for which priority is claimed by application number, country and filing date. The required petition fee of \$1,410 was received with the petition. Lastly, petitioner has provided an adequate statement of unintentional delay.

All requirements being met, the petition under 37 CFR 1.55(c) to accept an unintentionally delayed claim for priority under 35 U.S.C. § 119(a)-(d) is **GRANTED**.

A filing receipt accompanies this decision on petition.

This matter is being referred to Technology Center AU 1762 for examination in due course and for consideration by the examiner of record of the foreign priority claim under 35 U.S.C. § 119(a)-(d).

Any inquiries directly pertaining to this decision may be directed to Alicia Kelley at (571) 272-6059. All other inquiries should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/585,358	07/06/2006	1762	1000	29137.183.00	22	1

CONFIRMATION NO. 2782

CORRECTED FILING RECEIPT



OC000000045389852

Date Mailed: 01/11/2011

30827
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1900 K STREET, NW
WASHINGTON, DC 20006

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Sung Cheol Yoon, Daejeon-city, KOREA, REPUBLIC OF;
Young Chul Won, Kyungki-do, KOREA, REPUBLIC OF;
Young Whan Park, Daejeon-city, KOREA, REPUBLIC OF;
Sung Ho Chun, Daejeon-city, KOREA, REPUBLIC OF;
Dai Seung Choi, Daejeon-city, KOREA, REPUBLIC OF;
Won Kook Kim, Daejeon-city, KOREA, REPUBLIC OF;
Tae Sun Lim, Daejeon-city, KOREA, REPUBLIC OF;
Heon Kim, Jeollanam-do, KOREA, REPUBLIC OF;
Jung Min Lee, Kyungsangbuk-do, KOREA, REPUBLIC OF;
Kyung Lim Paik, Daejeon-city, KOREA, REPUBLIC OF;

Power of Attorney: The patent practitioners associated with Customer Number 30827

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/KR05/02149 07/05/2005

Foreign Applications

REPUBLIC OF KOREA 10-2004-0052612 07/07/2004
REPUBLIC OF KOREA 10-2004-0074307 09/16/2004

If Required, Foreign Filing License Granted: 04/16/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/585,358**

Projected Publication Date: Not Applicable

Non-Publication Request: No

**Early Publication Request: No
Title**

Method of producing cyclic olefin polymers having polar functional groups, olefin polymer produced using the method and optical anisotropic film comprising the same

Preliminary Class

526

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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NOT GRANTED

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